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PETITION OF

COLUMBIA GAS OF VIRGINIA, INC.

CASE NO. PUE-2002-00070

For a Declaratory Judgment

HEARING EXAMINER'S RULING

May 22, 2002

On March 12, 2002, in response to a Petition for Declaratory Judgment filed by Columbia Gas of Virginia, Inc. ("CGV"), the Virginia Industrial Gas Users' Association ("VIGUA") filed an Answer, Cross-Petition for Declaratory Judgment, and Request for Hearing. By Hearing Examiner's Rulings dated April 3 and April 25, 2002, procedural schedules were established and a hearing date was set.

On May 13, 2002, VIGUA filed a Motion for Summary Judgment arguing that the issues in this case involve a legal determination based on admitted facts. On May 15, 2002, VIGUA filed a Motion to Continue All Procedural and Discovery Dates ("Motion to Continue") on the grounds that the filing of testimony and exhibits would be expensive and perhaps unnecessary if the Motion for Summary Judgment is granted. On May 16, 2002, Stand Energy Corporation, by counsel, filed a motion in support of VIGUA's Motion to Continue. On May 17, 2002, VIGUA's Motion to Continue was granted.

On May 21, 2002, CGV filed a Motion to Vacate the Hearing Examiner's Ruling of May 17, 2002; Response to the Motion of the Virginia Industrial Gas Users Association to Continue All Procedural and Discovery Dates; Motion to Dismiss Cross-Petition with Prejudice and to Compel Response to Discovery ("Motion to Vacate"). I find that the parties should be afforded the opportunity for oral argument on the Motion to Vacate. Accordingly,

IT IS DIRECTED that oral argument on the Motion to Vacate will be heard on May 24, 2002, at 10:00 a.m. in a Commission Courtroom. In order to facilitate access to Respondents, the hearing for oral argument will be webcast over the Internet. The webcast will be available on the Commission's web site at www.state.va.us/scc, beginning at 10:00 a.m. on Friday, May 24, 2002.

Howard P. Anderson, Jr.
Hearing Examiner